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NOTIFICATION.

No. 11212—*E. F.* 3-1901, *dated 6th January* 1902.

Under Section 4 of the Excise Regulation, V of 1901, and in exercise of all other powers enabling them in this behalf, the Government of Mysore are pleased to make the following appointments, *viz* :—

Appointments.	Local area to which applicable.
UNDER CLAUSE (*a*).	
The Excise Commissioner – to exercise all the powers of a Deputy Commissioner in respect of the Excise Revenue, and to have the control of the administration of the Excise Department and of the collection of the Excise Revenue.	Throughout the Mysore State.
UNDER CLAUSE (*b*).	
I. The following Officers of the Excise Department :—	
(1) *Deputy Excise Commissioner*—to exercise all the powers of a Deputy Commissioner and to perform all the duties of a Deputy Commissioner in respect of Excise Revenue concurrently with the District Deputy Commissioner and subject to the control of the Excise Commissioner.	
(*i*) in respect of the issue of permits under Section 11 of the Excise Regulation ;	Do do
(*ii*) in respect of the supervision and management of the Government Central Distillery, all licensed depôts or warehouses and shops ; and	
(*iii*) in respect of all other matters relating to Excise Revenue.	
(2) *Assistant Commissioners in charge of Excise Divisions*—to exercise all the powers and to perform all the duties of a District Deputy Commissioner concurrently with the District Deputy Commissioner and subject to the control of the District Deputy Commissioner in the first instance and ultimately of the Excise Commissioner—	
(*i*) in respect of the issue of permits under Section 11 of the Regulation ;	Do do
(*ii*) in respect of the issue of licenses under Section 13 of the Regulation ;	Within their respective divisions.
(*iii*) in respect of the supervision and management of licensed Excise depôts or warehouses and supervision of licensed shops of all descriptions ; and	
(*iv*) under Chapter VIII of the Regulation	
(3) *Inspectors* – to exercise all the powers and to perform all the duties of a District Deputy Commissioner concurrently with the Deputy Commissioner, and subject to the control of the Assistant Commissioner in the first instance and ultimately of the District Deputy Commissioner—	
(*i*) in respect of the issue of permits under Section 11 of the Regulation :	Throughout the Mysore State.
(*ii*) in respect of the issue of tree-tapping licenses under Section 12 and of licenses under Section 13 of the Regulation ; and	Within their respective ranges.
(*iii*) under Chapter VIII of the Regulation.	
(4) *Inspectors in charge of Government Central Distillery and Provincial Ganja Depôt or Warehouse*—to exercise all the powers and to perform all the duties of a District Deputy Commissioner concurrently with the Deputy Commissioner and subject to the control of the Deputy Excise Commissioner in the first instance and ultimately of the Excise Commissioner—	
(*i*) in respect of the supervision and management of the Distillery and Provincial Ganja Depôt ; and	Government Central Distillery buildings and the water-supply arrangements connected therewith.
(*ii*) in respect of the issue of permits under Section 11 of the Regulation.	Throughout the Mysore State.

Appointments.	Local area to which applicable.
(5) *Inspectors and Assistant Inspectors in charge of Government storehouses for the storage of intoxicating drugs prepared from the hemp plant*—to exercise all the powers and to perform all the duties of a Deputy Commissioner concurrently with the Deputy Commissioner and subject to the control of the Deputy Commissioner in respect of the issue of permits under Section 11 of the Act for the transport of the hemp crop to the place of manufacture of the manufactured produce, thence to the Government storehouses and of intoxicating drugs removed from the storehouses to shops and depôts.	Within their respective charges.
(6) *Assistant Inspectors*—to exercise all the powers and to perform all the duties of a District Deputy Commissioner concurrently with the Deputy Commissioner and subject to the control of the Assistant Commissioner in the first instance and ultimately of the District Deputy Commissioner—	
(*i*) in respect of the issue of permits under Section 11 of the Regulation; and	Throughout the Mysore State.
(*ii*) in respect of the issue of licenses under Section 13 of the Regulation.	Within their respective circles.
II. The following Officers of the Land Revenue Administration:—	
(1) *Sub-Division Officers and Assistant Commissioners*—to exercise all the powers and to perform all the duties of a District Deputy Commissioner concurrently with the Deputy Commissioner and subject to the control of the Deputy Commissioner—	
(*i*) in respect of the issue of permits under Section 11 of the Regulation;	Throughout the Mysore State.
(*ii*) in respect of the issue of licenses under Section 13 of the Regulation; and	Within their respective local jurisdictions as Officers of Land Revenue.
(*iii*) under Chapter VIII of the Regulation.	
(2) *Amildars, Deputy Amildars and Taluk Sheristadars*—to exercise all the powers and to perform all the duties of a District Deputy Commissioner concurrently with the Deputy Commissioner and subject to the control of the Deputy Commissioner—	
(*i*) in respect of the issue of permits under Section 11 of the Regulation;	Throughout the Mysore State.
(*ii*) in respect of the issue of licenses under Section 13 of the Regulation; and	Within their respective taluks and sub-taluks.
(*iii*) under Chapter VIII of the Regulation.	
III. *Licensed Mutsaddis in charge of Arrack Bonded Depôts or Warehouses and Farm Depôts or Warehouses*—to exercise all the powers and to perform all the duties of a District Deputy Commissioner in respect of the issue of permits under Section 11 of the Regulation concurrently with the District Deputy Commissioner and subject to the control of the Assistant Commissioner in the first instance and ultimately of the District Deputy Commissioner.	Within the area of their respective depôts or warehouses.
IV. *Licensed Wholesale Vendors of intoxicating drugs and their Mutsuddis*—to perform all the duties of a District Deputy Commissioner in respect of the issue of permits under Section 11 of the Regulation concurrently with the Deputy Commissioner and subject to the control of the Assistant Commissioner in the first instance and ultimately of the District Deputy Commissioner.	Within the area of their respective wholesale shops.
V. *Licensed Retail Arrack Vendors and Retail Toddy Vendors*—to perform all the duties of a District Deputy Commissioner in respect of the issue of licenses under Section 11 of the Regulation up to one imperial quart of arrack and four imperial quarts of toddy respectively.	Within the area of their respective shops.
UNDER CLAUSE (*d*).	
All Excise Officers in charge of Ranges—to perform the acts and duties mentioned in Sections 40 to 53 inclusive of the Regulation.	Within their respective ranges.

Appointments.	Local area to which applicable.
UNDER CLAUSE (*e*).	
(1) *District Deputy Commissioners; Deputy Excise Commissioner; Assistant Commissioners in charge of Excise Divisions, Inspectors and Assistant Inspectors*—to be Excise Officers under their respective designations for the purposes of Sections 30, 31, 32, 34, 35, 38, 39, 53, 59, 62 and 72 of the Excise Regulation, and to exercise all the powers and discharge all the duties conferred and imposed on Excise Officers in the sections aforesaid.	Within their respective charges.
(2) *Sub-Inspectors and peons of the Excise Department*—to be Excise Officers under their respective denominations for the purposes of Sections 30, 34, 35, 38, 39, 53, 59, 62 and 72 of the Regulation, and to exercise all the powers and discharge all the duties conferred and imposed on Excise Officers in the sections aforesaid.	Within the ranges or circles to which they are attached.

No. 11387—*Ex. F.* 3-1901, *dated 7th January* 1902.

Under Section 4 (g) of the Mysore Excise Regulation, V of 1901, the Government of Mysore hereby delegate the following powers, *viz.*:—

TO THE EXCISE COMMISSIONER.

I. (*a*) Power to appoint, promote and transfer Inspectors of all grades irrespective of pay the appointments of Inspectors drawing above Rs. 100, made by him, being subject to the approval of Government.

(*b*) Power to appoint, promote and transfer clerks in his own office up to Rs. 100, those in the Deputy Excise Commissioner's Office and Government Central Distillery above Rs. 30, and those in Assistant Excise Commissioner's Office above Rs. 20, the appointments of those drawing above Rs. 100, made by him being subject to the approval of Government.

(*c*) In regard to punishments, full powers in respect of all the above officials, the dismissal, degradation and suspension of those drawing above Rs. 100, being subject to the approval of Government.

(*d*) Full powers to transfer Assistant Inspectors of all grades and clerks from one District to another.

(*e*) Power to grant all leave to the Inspectors of all grades.

II. Power under Section 5, (1), to frame and issue rules, from time to time, prescribing the powers and duties to be exercised and performed by Excise officers of the several classes, where not specifically provided for by the Excise Regulation or by Rules framed thereunder by the Government of Mysore.

III. Power under Section 5, (2) to make rules regulating the delegation by the Deputy Commissioners of Districts of any powers conferred by the Regulation, or exercised in respect of Excise Revenue, under any Regulation for the time being in force.

IV. Power under Section 10 to prescribe by Notification from time to time, either generally for the whole of the State or for any local area, the maximum quantity, in excess of which permit for transport of liquor or intoxicating drugs under the provisions of Section 11 shall be required, and to direct that permit for the transport of foreign liquor shall not be dispensed with in respect of any local area to be notified.

V. Power under Section 11 to empower persons other than the Deputy Commissioners of Districts to issue permits for the transport of liquor or intoxicating drugs and to prescribe any other particulars than those mentioned in the Regulation to be specified in every permit.

VI. Power under Section 13 to prescribe by notification from time to time, either generally for the whole State or for any local area, the maximum quantity of any specified description or kind of liquor or intoxicating drug, in excess of which license for possession shall be required.

VII. Power under Section 27 (b) to empower any Excise officer to require manufacturers of liquors and vendors of liquors to measure out or to test the strength or quality of any such liquors in their possession and from time to time to vary or cancel the grant of such powers as he may deem fit.

VIII. Power under Section 29 to frame and issue from time to time, rules on various points specified therein where not specifically provided for by Rules framed by Government.

IX. Power under Section 32 to vest Police officers with any or all of the powers conferred by that section, and from time to time to vary or cancel the grant of such powers as may be deemed fit.

X. Power under Section 56 (a) to empower officers not being Excise officers, to demand the production of licenses and permits by the holders thereof.

XI. Power under the third paragraph of Section 66 to authorize officers to enquire into and determine cases of confiscation thereunder.

XII. Power under Section 67 to compound offences.

To the Deputy Commissioners of Districts.

I. (a) Power to appoint, promote and transfer Assistant Inspectors of and above Rs. 20, and Excise clerks in District and Taluk offices.

(b) In regard to punishments full powers in respect of Assistant Inspectors of all grades.

(c) Power to approve of the appointments, promotions, punishments, transfers and grant of leave recommended by Excise Divisional Officers.

II. Power under Section 27 (b) to empower any Excise officer and to require manufacturers of liquors and vendors of liquors to measure out or to test the strength or quality of any such liquors in their possession, and from time to time vary or cancel the grant of such powers as they may deem fit.

III. Power under Section 67 to compound offences.

To the Deputy Excise Commissioner.

I. (a) Power to make all appointments up to Rs. 30, in the Government Central Distillery and in his own office.

(b) In regard to punishments full powers in respect of all the above officials.

(c) Power to fine all subordinate officers except Inspectors up to Rs. 10 during his tours of inspection, communicating the punishment so inflicted by him to the Excise Commissioner or District Deputy Commissioner, as the case may be.

To Assistant Commissioners in charge of Excise Divisions.

I. (a) Power to appoint and promote Sub-Inspectors and menial servants and to appoint Assistant Inspectors on Rs. 15 and clerks up to Rs. 20.

(b) Power to transfer Assistant Inspectors of Rs. 25 and above, subject to District Deputy Commissioner's approval, and full powers to transfer other Assistant Inspectors and Sub-Inspectors and menial servants but when they are to be transferred from one district to another, the approval of the Deputy Commissioners of Districts concerned should be obtained.

(c) Power to grant leave to Assistant Inspectors of and above Rs. 25 subject to District Deputy Commissioner's approval: and full powers to grant leave to other Assistant Inspectors and Sub-Inspectors and menial servants.

(d) In regard to punishments, power to fine up to Rs. 5 and to award black marks to Assistant Inspectors of all grades and clerks up to Rs. 20, to degrade and suspend Assistant Inspectors on Rs. 15 and their own clerks up to Rs. 20, and full powers in case of Sub-Inspectors and menial servants.

II. Power under Section 67 to compound offences.

To Inspectors.

I. (a) Power to appoint tree-markers and peons subject to Divisional Officer's approval.

(b) Power to transfer tree-markers and peons within their Ranges.

(c) Power to promote tree-markers and peons subject to Divisional Officer's approval.

(d) Power to grant leave to tree-markers and peons.

(e) Power to fine tree-markers and peons up to Rs. 2 subject to an appeal to or revision by the Divisional Officer, and to award black marks, and to recommend dismissal, suspension and degradation, in case of tree markers and peons to Divisional Officers.

No. 11288—*Ex. E.* 3-1901, *dated 7th January* 1902.

Under Section 5 (1) of the Excise Regulation, V of 1901, the Government of Mysore make the following Rules:

I. The Excise Commissioner may for the purposes of clause (b) of Section 27 of the Excise Regulation require manufacturers of liquor and vendors of liquor to measure out or to test the strength or quality of any such liquor in their possession.

II. The Deputy Commissioners of Districts and Excise Divisional Officers may for the purposes of clause (b) of Section 27 of the Excise Regulation require manufacturers of liquor and vendors of liquor, within their respective Districts and Divisions, respectively, to measure out or to test the strength or quality of any such liquor in their possession.

III. The Excise Divisional Officers shall submit their weekly diaries and reports on all Departmental matters direct to the Excise Commissioner.

IV. The Excise Divisional Officers will draw up their special inspection Diaries separately for each district, and submit them fortnightly to the Deputy Commissioner of the district concerned, who will forward them with his remarks to the Excise Commissioner. The Excise Commissioner will instruct the Divisional Officers as to the points which have to be noted in their Special Diaries.

V. Inspectors will send their weekly Diaries and Crime Sheets to the Divisional Officers; and Inspectors and Assistant Inspectors will submit their Abstract Statements of Inspection to the Deputy Commissioners of Districts.

VI. Assistant Inspectors and Sub-Inspector will send their weekly Diaries, &c., to the Inspectors, who will submit them with their remarks to the Divisional Officers.

No. 11289—*Ex. F.* 3-1901, *dated 7th January* 1902.

Under Section 5 (2) of the Excise Regulation, V of 1901, the Government of Mysore make the following Rules :—

I. The Excise Commissioner may from time to time delegate to the Deputy Excise Commissioner, Assistant Commissioners in charge of Excise Divisions and Inspectors, his power to require manufacturers of liquor and vendors of liquor to measure out or to test the strength or quality of any such liquor in their possession.

II. He may also delegate to the Deputy Commissioners of Districts, Deputy Excise Commissioner, Assistant Commissioners in charge of Excise Divisions, Excise Inspectors and Assistant Inspectors, &c., so much as he shall see fit of his other powers under the Excise Regulation or those delegated to him by Government.

III. The Deputy Commissioners of Districts may delegate to the Excise Divisional Officers, Excise Inspectors and Assistant Inspectors, Revenue Assistant Commissioners, Amildars and Deputy Amildars, so much as they shall see fit of their powers under the Excise Regulation, or those delegated to them by Government, or which may be delegated to them by the Excise Commissioner.

By Order,
H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

NOTIFICATION.

No. 11449—*Legis.* 69, *dated Bangalore, the 9th January* 1902.

The accompanying Draft of a Regulation to amend the Law of Evidence with respect to Bankers' Books, which is under the consideration of Government, is published for general information, with a Statement of Objects and Reasons :—

By Order,
H. V. NANJUNDAYYA,
Secy. to Govt., Gen. & Rev. Depts.

DRAFT REGULATION.

A Regulation to amend the Law of Evidence with respect to Bankers' Books.

Whereas it is expedient to amend the Law of Evidence with respect to Bankers' Books; Her Highness the Maharani-Regent is pleased to enact as follows :—

Title, extent and commencement.

1. (1) This Regulation may be called the Bankers' Books Evidence Regulation, 190 .

(2) It extends to the whole of Mysore; and

(3) It shall come into force at once.

Definitions.

2. In this Regulation, unless there is something repugnant in the subject or context,—

(1) "company" means a company registered under any of the enactments relating to companies for the time being in force in Mysore or in the United Kingdom or any of the Colonies or Dependencies thereof or in British India, or incorporated by an Act of Parliament or of the Governor General in Council, or by Royal Charter or Letters Patent:

(2) "bank" and "banker" mean—

(*a*) any company carrying on the business of bankers,

(*b*) any partnership or individual to whose books the provisions of this Regulation shall have been extended as hereinafter provided,

(*c*) any Post Office Savings Bank or Money Order Office:

(3) "bankers' books" include ledgers, day-books, cash-books, account-books and all other books used in the ordinary business of a bank:

(4) "legal proceeding" means any proceeding or inquiry in which evidence is or may be given, and includes an arbitration:

(5) "the Court" means the person or persons before whom a legal proceeding is held or taken:

(6) "Judge" means a Judge of the Chief Court:

(7) "trial" means any hearing before the Court at which evidence is taken: and

(8) "certified copy" means a copy of any entry in the books of a bank together with a certificate written at the foot of such copy that it is a true copy of such entry, that such entry